

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

The Board of Supervisors of Maricopa County, Arizona convened in Formal Session at 9:00 a.m., January 5, 2005, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Max W. Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2, Fulton Brock, District 1; Andrew Kunasek, District 3, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-no-absent-abstain.

**INVOCATION**

Bill Scalzo, Chief Community Services Officer, delivered the invocation.

**PLEDGE OF ALLEGIANCE**

Scott Isham, District 4, led the assemblage in the Pledge of Allegiance.

**PET OF THE MONTH**

Julie Bank introduced "Cookie" a shy, 3-year old terrier mix as the "Pet of the Month" from Maricopa County Animal Care & Control. Cookie and many other pets are available for adoption at 5231 North 35<sup>th</sup> Avenue later today.

**SERVICE AWARDS**

Chairman Wilson and Supervisor Kunasek joined the various department heads in presenting service award plaques to the following employees who have provided 30 or more years of public service to Maricopa County. Olivia Cruz was also given a mixed bouquet of flowers to help her celebrate her 50 years with the County. (C35050159) (ADM 3341)

**30 Years**

Frank F. Angulo, Juvenile Probation, July 22, 1974  
Judith L. Schroeder, Sheriff's Office, July 29, 1974  
Vickie L. Averbeck, Juvenile Probation, August 26, 1974  
John Mallaburn, Jr., Sheriff's Office, September 10, 1974  
Judith C. O'Neill, County Attorney, September 30, 1974  
Michael A. Jones, Adult Probation October 7, 1974  
Gloria B. Mendoza, Public Health, October 7, 1974  
Myrle J. Satnan, Juvenile Probation, October 14, 1974  
Alice L. Bustillo, Juvenile Probation, October 15, 1974  
Julie E. Quinonez, Trial Courts, November 29, 1974  
Sylvia R. Paynter, Adult Probation, December 30, 1974  
Milton D. Bates, Juvenile Probation, December 30, 1974

**35 Years**

Charles R. Hutchinson, Equipment Services, November 12, 1969  
Richard E. Dean, Jr., Sheriff's Office, December 8, 1969  
Donald E. Kelleher, Sheriff's Office, December 10, 1969

**50 Years**

Olivia Cruz, Assessor's Office, January 3, 1955

**FORMAL SESSION  
January 5, 2005**

**PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS**

Chairman Wilson called for a public hearing on liquor license applications. No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek to recommend approval of the following liquor license applications a) and c) i ii iii. Because of a posting delay for application b), on a separate motion by Supervisor Stapley and second by Supervisor Wilcox, motion carried (4-1), with Supervisor Brock voting "nay" to continue item b) to the January 19<sup>th</sup> meeting.

- a) Application filed by Han Nmn Chen for an Original Series 12 Liquor License. (This hearing continued from meeting of December 15, 2004)(LL6136)
  - Business Name: New China Super Buffet
  - Location: 3668 W. Anthem Way, #A-128, Anthem, AZ 85086
  
- b) Application filed by Alfonse Rudolph DiDomenico for an Original Series 12 Liquor License. **CONTINUED**
  - Business Name: The Crooked Putter Restaurant
  - Location: 14260 W. Meeker Blvd. Sun City West, AZ 85375 (LL 6137)
  
- c) Applications for the following Special Event Liquor Licenses: (F23164)
  - i. Filed by: Randal Dauer
    - Organization: Speedworld R/C Flyers
    - Location: 19421 W. Jomax Rd., Wittmann
    - Date: January 22, 2005
  
  - ii. Filed by: Donald Edward Majdecki
    - Organization: Knights of Columbus Council #6612
    - Location: 15800 Del Webb Blvd., Sun City
    - Date: January 26, 2005
  
  - iii. Filed by: Eric George Kilstrom
    - Organization: We Care in Anthem
    - Location: 4111 Freedom Way, Anthem
    - Date: January 8 & 9, 2005

Motion to approve a) and c) carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "nay."

**GAINSHARING PROGRAM RENEWAL FOR INTERNAL AUDIT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the FY 2005 "Gainsharing Program" renewal for the Internal Audit Department (see attached) per the Employee Gainsharing Program Policy (HR2419). (C3505016000) (ADM3345-001)

**MARICOPA COUNTY INTERNAL AUDIT  
GAINSHARING PROGRAM  
FY 2004 - 2005**

**FORMAL SESSION  
January 5, 2005**

WHAT?

Maricopa County Internal Audit (MCIA) employees will be eligible to receive a goal/results incentive award if department strategic goals are achieved and cost reductions and/or revenue increases are realized.

WHY?

MCIA is using a results-oriented compensation tool to facilitate the achievement of its strategic goals, which are derived from the department's Managing for Results (MfR) Strategic Plan.

WHO?

Employees meeting the following criteria are eligible to participate:

- Employee has been employed for at least six months and cannot have been on initial probationary status.
- Employee is working for MCIA on the date of the award. Employees who leave the department or have given notice that they are leaving the department (other than retirement) prior to a distribution of monies will forfeit any gain share normally due them.
- Employee actively contributed toward the goals of the plan for at least one-half of the measurement period.
- Employee performance met or exceeded departmental standards during the measurement period.
- Awards will be pro-rated to employees who are not full-time base on their FTE percentage.

HOW?

The MCIA Gainsharing Program contains the following three phases, or objectives:

Objective # 1 – Reduce County expenses and/or enhances County revenues.

Objective # 2 – Complete 100 % of audit plan (through draft report) by July 15, 2005.

Objective # 3 – Achieve from one to seven MfR and other targets for FY 2005.

If Objective #1 is met, one-half of the identified expense reductions and/or revenue enhancements are potentially available for the Gainshare Pool. Any expense reductions and /or revenue enhancements not distributed through the Gainshare Pool are distributed to the General Fund or other appropriate fund. See process flowchart Attachment A.

There are 12 audit service projects approved by the Board of Supervisors for FY05 (Attachment B). Evidence of completion of the audit is documented through the formal Audit Checklist (Attachment D). The County Auditor signs and dates the checklist on Reference Line 55 upon issuance of the draft report. The existence and completion of the checklists can be validated externally, if necessary.

The Gainshare pool maximum distribution is equal to \$2,000 - times a factor that recognizes compensation benefits expense (estimated to be 1.1575) - times the number of contributing employees.

If all or some part of Objective #3 is met, 5 to 100 per cent of the available Gainshare pool becomes available for incentive payments, depending on which of the seven MfR targets are met. The MfR targets in Objective #3 are taken from the MCIA Strategic Plan. Each MfR target is weighted between 5 per cent and 20 percent. See Attachment C.

RELATION TO OTHER GAINSHARING PROGRAMS

MCIA is uniquely positioned to address areas that are not the focus of individual County departments. Our work results in process improvements, quantitative cost savings and revenue enhancements across the County. MCIA will ensure that the MCIA Gainsharing Program does not overlap with any gainsharing program of any other department or County agency.

**FORMAL SESSION  
January 5, 2005**

MCIA gainsharing activities include reviews of:

- Contracts
- IGAs
- Other areas of financial impact

#### RECOGNITION OF COST SAVINGS / REVENUE ENHANCEMENT

Cost savings under the IA Gainsharing Program will be realized when constructively received by the County. "Constructively received" means evidenced by hard dollar recoveries such as refund checks or credit/debit memos from County vendors, IGA partners, or other entities. Revenue for the IA Gainsharing Program will be realized when received and deposited with the County Treasurer. For example, a prior year review of the Countywide Personal Computer Purchase Contract (#AZ1562) resulted in refunds issued to the County in the amount of \$88,866.

#### PARTNERSHIP WITH COUNTY DEPARTMENTS

In the event that MCIA, through specific invitation from a County department, partners with and assists that department in the achievement of the department's gainsharing goals, MCIA will be eligible to participate in the department's gainsharing award, on a mutually agreed-upon basis. This participation will not affect the \$2,000, per person, maximum limitation of the MCIA Gainsharing Program.

#### INCENTIVE DISTRIBUTION

Based on a maximum single recovery of \$75,000, up to fifteen per cent (15%) of MCIA cost savings and revenue enhancements will be eligible for the gainsharing pool. The additional eighty-five percent (85%) of the cost savings and revenue enhancements will be returned to the General Fund (Fund 100) or other appropriate fund where the savings/revenue is realized. Any amount over the \$75,000 per single recovery will also be returned to the General Fund or other appropriate fund. Awards will be applied based on their FTE percentage to all employees actively participating in the Gainsharing Program. Maximum distribution per eligible FTE employee is \$2,000 per fiscal year.

#### DISTRIBUTION RESTRICTION

MCIA cost savings and revenue enhancements, otherwise eligible for gainsharing distribution, would NOT be eligible for distribution to MCIA if recovered from a fund specifically restricting such distribution.

#### WHEN?

The Measurement Period for the Gainsharing Program begins July 1, 2004 and ends on June 30, 2005. The MCIA Gainsharing Program will be measured and awarded on a one-time basis each fiscal year. All eligible employees will receive their Gainshare award as soon as possible after the close of the fiscal year.

#### ATTACHMENT B

MCIA Board Approved

Audit Services Audit Plan FY 2005

#### Functional Audits

Juvenile Probation (1)

Justice Courts (1)

#### Technology Audits

#### MIHS Audits

Transition Work (3)

#### County-Wide Audits

County-wide Contracts

County-wide Travel

County-wide Records Retention

County-wide Cash

Program Evaluation

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

Systems Development  
ICJIS Annual Review

Single Audit Reviews (2)  
Performance Measure Certification

Notes

- (1) Includes accounting standards review required by the AZ Supreme Court.
- (2) Review of federal "pass-through" dollars to comply with federal regulations.
- (3) MIHS Transition work will cover Contracts, Inventories, Information Systems, Financial Reporting, IGAs & Leases, Cash Monitoring, Fixed Assets, and Other Areas as needed.

NOTE: The number of Audit Services projects is limited in FY 2005 because of MIHS Transition work.

ATTACHMENT C (page 1 of 2)  
INTERNAL AUDIT MfR GOALS  
MEASUREMENT CRITERIA

|   | MfR Goal  | Measurement Tool  | Formula   |
|---|---|---|---|
| 1 | Minimum 95 Per cent (%) concurrence with IA recommendations by clients ←            | Concurrence measured by Response to Audit Recommendations                 | $\frac{\# \text{ concurred recommendations}}{\# \text{ total recommendations}}$                                   |
| 2 | Minimum 95 Per cent (%) satisfaction rating from BOS and County Management          | Satisfaction measured by Survey   | $\frac{\# \text{ survey respondents indicating satisfied or very satisfied}}{\text{total number of respondents}}$ |
| 3 | Minimum 95 Per cent (%) satisfaction rating from consulting services customers ↑    | Satisfaction measured by Survey   | $\frac{\# \text{ survey respondents indicating satisfied or very satisfied}}{\text{total number of respondents}}$ |
| 4 | Minimum 95 Per cent (%) satisfaction rating from educational services customers →   | Satisfaction measured by Survey   | $\frac{\# \text{ survey respondents indicating satisfied or very satisfied}}{\text{total number of respondents}}$ |
| 5 | Minimum 95 Per cent (%) satisfaction rating from informational services customers ↓ | Satisfaction measured by Survey   | $\frac{\# \text{ survey respondents indicating satisfied or very satisfied}}{\text{total number of respondents}}$ |
| 6 | Economic impact of audit work equal to \$3 million                                  | Impact includes cost recoveries, cost avoidance, revenue enhancement      | Impact calculated on case-by-case basis, and validated by auditee   |
| 7 | 95 Per cent of IA recommendations implemented within three years                    | Implementation measured by auditee responses/follow up to recommendations | $\frac{\# \text{ of recommendations implemented}}{\text{total \# of recommendation}}$                             |

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

|  |  |  |                      |
|--|--|--|----------------------|
|  |  |  | <u>s agreed with</u> |
|--|--|--|----------------------|

- ← Clients – County management responding to an Audit Report.
- ↑ Consulting customers - County management that have requested MCIA perform non-audit services such as fraud investigations, RFP evaluations, and task force participation.
- Educational customers - County management and departments that have received MCIA non-audit services such as the Cash Handling training, Contract Management training, and Payables Processing training.
- ↓ Informational customers - County management and departments that have received MCIA non-audit services such as the Financial Condition Report.

ATTACHMENT C (page 2 of 2)  
INTERNAL AUDIT MfR GOALS  
MEASUREMENT CRITERIA

|   | MfR Goal  | FY04 Actual Performance | FY 05 Goals                       |
|---|---|-------------------------|-----------------------------------|
| 1 | Minimum 95 Per cent (%) concurrence with IA recommendations by clients ←            | 100 %                   | 95 - 97% = 10%<br>98 – 100% = 15% |
| 2 | Minimum 95 Per cent (%) satisfaction rating from BOS and County Management          | 99 %                    | 95 - 97% = 15%<br>98 – 100% = 20% |
| 3 | Minimum 95 Per cent (%) satisfaction rating from consulting services customers ↑    | 100 %                   | 95 - 97% = 5%<br>98 – 100% = 10%  |
| 4 | Minimum 95 Per cent (%) satisfaction rating from educational services customers →   | 94 %                    | 95 - 97% = 10%<br>98 – 100% = 15% |
| 5 | Minimum 95 Per cent (%) satisfaction rating from informational services customers ↓ | 100 %                   | 95 - 97% = 5%<br>98 – 100% = 10%  |
| 6 | Economic impact of audit work equal to \$3 million                                  | \$ 1.36 million         | <u>\$ 3 million</u>               |
| 7 | 95 Per cent of IA recommendations implemented within three years                    | 90%                     | <u>95%</u>                        |

- ← Clients - County management responding to an Audit Report.
- ↑ Consulting customers - County management that have requested MCIA perform non-audit

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

- services such as fraud investigations, RFP evaluations, and task force participation.
- Educational customers - County management and departments that have received MCIA non-audit services such as the Cash Handling training, Contract Management training, and Payables Processing training.
- ↓ Informational customers - County management and departments that have received MCIA non-audit services such as the Financial Condition Report.

**ATTACHMENT D - SAMPLE AUDIT CHECKLIST**  
**AUDIT CHECKLIST**  
 Audit/Project Title:

| <u>Administration</u>   | <u>CA</u> | <u>Date &amp; Initial</u> | <u>Reference</u> |
|-------------------------|-----------|---------------------------|------------------|
| Assignment Sheet/Mtg    |           |                           | 10               |
| Engagement Letter       |           |                           | 15               |
| <u>Planning</u>         |           |                           |                  |
| Team Discussion #1      |           |                           | 18               |
| Opening Conference      |           |                           | 20               |
| Preliminary Survey      |           |                           | 25               |
| Risk Assessment         |           |                           | 28               |
| Team Discussion #2      |           |                           | 30               |
| Scope Letter (Optional) |           |                           | 33               |
| Audit Program           |           |                           | 35               |
| Work Paper Review       |           |                           | N/A              |
| Fieldwork               |           | <u>Date &amp; Initial</u> | <u>Reference</u> |
| Lead Sheets/WPs         |           |                           | 40               |
| Exit Conference         |           |                           | 45               |
| Team Discussion #3      |           |                           | 50               |

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION**  
**January 5, 2005**

|                     |    |                           |            |
|---------------------|----|---------------------------|------------|
| Work Paper Review   |    |                           | N/A        |
| Reporting           | CA | <u>Date &amp; Initial</u> | <u>Ref</u> |
| Draft Report        |    |                           | 55         |
| Closing Conference  |    |                           | 60         |
| Final Report (ref.) |    |                           | 65         |

**TRANSFER FUNDS FOR A DEPUTY CONSTABLE POSITION**

Pursuant to A.R.S. Section 42-17106(b), motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the expenditure transfer of \$37,297 from General Fund-General Government-General Contingency (100-470-4711) to the Constable's General Fund (100-250-2500) for the second half of FY 2004-05. The transfer would be used to continue funding of one temporary Deputy Constable position for the second half of FY 2004-05, \$16,997. This temporary position is necessary to continue to provide service to the Glendale Justice Court, which does not have coverage at this time. The requested transfer would also be used to employ 1.0 FTE contract Deputy Constable (\$20,301 for the second half of FY 2004-05). The contract position is necessary to continue to provide service to the East Phoenix #2 Precinct, which currently lacks coverage. With approval of this item, the Office of Management and Budget will include the annualized cost of the contract position (\$41,011) in the FY 2005-06 Expenditure Budget Target for the Constables. This action would require an appropriation adjustment decreasing General Government Department (470) General Fund (100) budget and increasing Constables Department (250) General Fund (100) budget by \$37,297, for a countywide net impact of zero in FY 2004-05. Continued from December 15, 2004 (C2505002800) (ADM1302)

**UPGRADES TO THE DISPATCH CONSOLES IN THE SMARTZONE SYSTEM**

Per A.R.S. 42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to transfer FY 2004-05 expenditure appropriation in the amount of ~~\$14,112~~ \$7,527 (annualized impact is ~~\$3,585~~) (corrections made by the Clerk of the Board) from General Government (470) General Fund (100) Reserved Item - Technology Reserve (4711) to the Sheriff's Office (500) General Fund (100). Approval of this action will allow the Sheriff's Office to upgrade its SmartZone system software and associated dispatch consoles to function with the County's Wireless System. (C5005030M 00) (ADM3900-003)

**CONTINGENCY FUNDS TO CREATE EIGHT NEW POSITIONS**

Per A.R.S. 42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to transfer expenditure appropriation from FY 2004-05 contingency funds in the amount of \$149,983 (annualized impact is \$291,967) from General Government (470) General Fund (Fund 100) General Contingency (4711) to the Sheriff's Office (500) General Fund (100). Approval of this action will allow the Sheriff's Office to establish effective January 1, 2005 eight (8) new positions, seven (7) Records Clerk I positions and one (1) Records Clerk II position and to purchase corresponding supplies and equipment. These positions are essential to meeting the FBI's mandatory 30-day on-line validation requirements. (C5005039800) (ADM3900-003)



**FORMAL SESSION  
January 5, 2005**

**ADDITION TO FLEET AND EXEMPT FROM MARKINGS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve two one-time additions to the fleet consisting of one 2004 Grand Cherokee, and one 2001 Ford F-150. Each of these vehicles is being acquired with RICO funds. These vehicles will be used by the Selective Enforcement Unit of the Sheriff's Office to conduct a variety of surveillances and investigations relating mostly to Homeland Security, murder for hire, conspiracy, pornography, and narcotics. Approval is also requested to exempt from markings and issue undercover plates to each of these vehicles per A.R.S. §38-538-03. These are one-time additions to the Sheriff's Office RICO fleet and will be retired at the end of their useful lives with no funding from the general fund for replacement. RICO funds will be used for their maintenance and operations. (C5005040M00) (ADM3104V)

**IGA WITH THE TOWN OF GILA BEND**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Intergovernmental Agreement for Law Enforcement Services between the Town of Gila Bend and Maricopa County so that the Sheriff's Office can provide law enforcement services at the level of .55 beats to the Town. The FY 2004-05 cost for these services is \$267,926 payable in 12 monthly installments. The term of this agreement is July 1, 2004 through June 30, 2005. The Sheriff's Office will notify the Town by April 1 of charges for the next year. The amount charged to the Town represents full cost recovery for all law enforcement services rendered. This agreement supersedes the current agreement C50020782-00. (C5005041200)

**ANNUAL RENEWAL OF VEHICLE REGISTRATIONS & EXEMPT FROM MARKINGS OF RICO VEHICLES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve annual renewal of vehicle registrations and exemptions from markings for a fleet of RICO vehicles used for deep undercover investigations per A.R.S. 38-538.03. Total number of vehicles not to exceed 50. (C5005042M00) (ADM3101V)

**EXEMPT FROM MARKINGS**

Per A.R.S. §38-538-03, motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to allow issuance of undercover non-governmental license plates for one white 2004 Ford Expedition, assigned to the Captain of the Trails Division to be exempt from markings. Exemption from markings allows this vehicle to be used in covert operations to track criminal activities, movements and record intelligence information, while preserving the anonymity of the mission. Per Title 28-624.C this vehicle is equipped with undercover emergency lighting. (C5005043M00) (ADM3101V)

**GRANT FROM OVERSIGHT COUNCIL ON DRIVING OR OPERATING UNDER THE INFLUENCE ABATEMENT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Grant Agreement and acceptance of \$21,460 in grant funding from the Oversight Council on Driving or Operating Under the Influence Abatement. This is a new grant and the funding will allow for the purchase of Laptop Computers, software and DUI-related investigative overtime for the Traffic Unit. The Sheriff's Office indirect cost rate for FY 2005 is 14%. Unrecoverable indirect costs associated with this grant are \$3,004.40. The term of this Agreement is December 1, 2004 to November 30, 2005. (C5005525300)

**FORMAL SESSION  
January 5, 2005**

**MOU WITH THE FBI FOR THE DESERT HAWK VIOLENT CRIMES TASK FORCE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Memorandum of Understanding between the Maricopa County Sheriff's Office (MCSO) and the Federal Bureau of Investigation (FBI). This MOU outlines the mission of the Desert Hawk Violent Crimes Task Force (DHVCTF) and formalizes the relationship between the FBI and MCSO so that maximum inter-agency cooperation can be aimed at reducing violent criminal activity within the community. The MOU shall be in effect upon the date it is signed by the Board of Supervisors and will remain in effect until termination, at any time by either party with a 30-day written notice of intent. (C5005527000)

**PURCHASE A VEHICLE FOR THE SMALL SCHOOLS PROGRAM**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a fleet addition to include one mid or large size vehicle for use by the Small Schools staff of the Superintendent of Schools office pursuant to statutory authorization ARS 15-365. This vehicle is needed by the Small Schools staff for transportation to the school districts of Maricopa County, particularly those in outlying rural areas. The cost of this new vehicle will not exceed \$28,000, which will be paid for the by the Small Schools fund, which is not included in the County's overall budget. This vehicle is consistent with county vehicle policies. The maintenance and replacement costs associated with this vehicle are the responsibility of the requesting department and will be absorbed through current and future funds available to the department and in the small schools program. (C3705001M00) (ADM3104)

**LEASE RENEWAL WITH THE CITY OF EL MIRAGE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a renewal option for Lease No. MC-10146, between Maricopa County and the City of El Mirage for continued use of courthouse and parking space at the County's Northwest Superior Court facility located in Surprise. This option will extend the term from January 1, 2005 through December 31, 2005, with rent payments increased to reflect area market rates as follows: From January 1, 2005 to June 30, 2005; \$2,788.86, per month, and from July 1, 2005 to December 31, 2005, \$3,521.17, per month, for an annual rent of \$37,860. (C3803012202)

**RESOLUTION FOR THE CREATION OF DIVISIONS 92 & 93 OF THE SUPERIOR COURT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to Approve the resolution to the Governor of the State of Arizona for the creation of Divisions 92 and 93 of the Superior Court, with an effective date of July 1, 2005 pursuant to Arizona Revised Statutes Section 12-121. A request for funding of the new Divisions will be forwarded to the Office of Management and Budget as a Results Initiative Request with the Court's FY 2005-06 budget submission. The funding request will be considered based on available funding and prioritization of other budget issues, and approval is not guaranteed. In the event that additional funding cannot be added to the Trial Courts' appropriated budget, the cost of the new Divisions will need to be offset by reductions in other areas of the Trial Courts budget. (C3805019700) (ADM1003)

**FORMAL SESSION  
January 5, 2005**

**RESOLUTION**

**WHEREAS**, under and by virtue of the Constitution of Arizona, Article 6, Section 10, and Arizona Revised Statutes 12-121, Maricopa County, Arizona may have up to one (1) judge of the Superior Court for each 30,000 inhabitants, or major fraction thereof; and

**WHEREAS**, the 2000 United States Census estimated for Maricopa County 3,072,149 inhabitants and the Arizona Department of Economic Security has estimated that the total number of inhabitants in Maricopa County as of this date in 2004 is 3,396,875; and

**WHEREAS**, the current population count authorizes Maricopa County to have as many as one hundred thirteen (113) judges of the Superior Court; and

**WHEREAS**, the Arizona Supreme Court engaged a consultant to conduct a study of the Family Court Department in Maricopa County and recommendations from that report are for the implementation of improved case management practices in cases involving family issues;

**NOW, THEREFORE, BE IT RESOLVED AND IT IS HEREBY RESOLVED** that the Governor of the State of Arizona is hereby requested to approve the creation of two (2) additional judgeships of the Superior Court in and for the County of Maricopa, State of Arizona; and

**BE IT FURTHER RESOLVED** that the creation of divisions 92 and 93 would be effective as of July 1, 2005; and

**BE IT FURTHER RESOLVED** that the Governor of the State of Arizona is hereby requested to appoint suitable persons to these two positions pursuant to the Constitution of Arizona, Article 6, Section 37.

**ADOPTED** at the regular meeting of the Board of Supervisors of Maricopa County, Arizona this 5<sup>th</sup> Day of January, 2005.

/s/ Max W. Wilson, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**GRANT FOR THE TRIAL COURTS DEPARTMENT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept a FY 2004-05 grant for the Trial Courts Department (Justice Court) of the Judicial Branch in the amount of \$22,597 from the Arizona Criminal Justice Commission for providing innovative programs that use emerging technologies to educate, prevent or deter occurrences of driving or operating under the influence in a motor vehicle or motorized watercraft. Also, approve revenue and expenditure appropriation adjustments of \$22,597 in the Justice Courts Grants Fund (246). There are no indirect costs included since the grant provides for funding of professional and outside services only. Grant revenues are not local revenues for the purpose of constitutional expenditure limitation, therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105 (C3805020300)

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

**APPOINTMENT OF COMMISSIONER AS JUDGE PRO TEMPORE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the appointment of Court Commissioner Michael D. Hintze as a Superior Court Judge Pro Tempore for the period from January 5, 2005 through December 31, 2005 to serve in the various programs in the Superior Court to reduce trial delay. (C3805021700) (ADM1001)

**APPOINTMENT OF JUSTICE OF THE PEACE AS JUDGE PRO TEMPORE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to appoint Attorney L. Ashley Fritz as a Justice of the Peace Judges Pro Tempore, in accordance with Arizona Revised Statutes § 22-121. This serves the interests of judicial economy and promotes sound case flow management. L. Ashley Fritz would serve as a Justice of the Peace Judge Pro Tempore without compensation. The appointment will be for the period commencing January 5, 2005 through December 31, 2005. (C3805022700) (ADM1001)

**REJECT CLAIMS DEMANDS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to reject claim demands (November 2004) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to ARS §11-629 (not a proper charge against the County) and ARS §11-622 (claims not having been filed within six-months after the last item of the account accrues). (ARS §11-629 \$208,514.31 and ARS §11-622 \$0.00.) (C3905024700) (ADM1804)

**MONTHLY REPORT**

November 2004

| <b>Vendor</b>                  | <b>Amb., Doctors, Hosp.<br/>Ars 11-629</b> | <b>Over Six Months<br/>Ars 11-622</b> |
|--------------------------------|--|---------------------------------------|
| Arizona Oncology Services      | 297.00                                     | 0.00                                  |
| Banner Desert Medical Ctr      | 3,273.60                                   | 0.00                                  |
| Banner Good Samaritan Reg Med  | 9,848.00                                   | 0.00                                  |
| East Valley Ob/Gyn             | 125.00                                     | 0.00                                  |
| Ehrler, Denise Crnfa           | 34,240.00                                  | 0.00                                  |
| Emergency Professional Svcs Pc | 350.00                                     | 0.00                                  |
| Hospitalists Of Arizona        | 217.00                                     | 0.00                                  |
| Jacobsen, William M. Md        | 36,340.79                                  | 0.00                                  |
| Medical Professional Assoc Of  | 1,996.00                                   | 0.00                                  |
| Medpro                         | 75,506.14                                  | 0.00                                  |
| Phoenix Memorial Hospital      | 29,836.44                                  | 0.00                                  |
| Professional Diagnostix        | 449.00                                     | 0.00                                  |
| Professional Medical Transport | 5,925.10                                   | 0.00                                  |
| Rural Metro Ambulance          | 4,806.33                                   | 0.00                                  |
| Southwest Ambulance            | 4,724.91                                   | 0.00                                  |
| Tep @ Phoenix St Luke's        | 579.00                                     | 0.00                                  |
| <b>Grand Totals:</b>           | <b>208,514.31</b>                          | <b>0.00</b>                           |

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

|                        |                   |
|------------------------|-------------------|
| Restitution            | 0.00              |
| <b>Totals Denials:</b> | <b>208,514.31</b> |

**PERSONNEL AGENDAS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas. Exhibits A and B will be found at the end of this set of minutes.

**AGREEMENT WITH GUADALUPE YOUTHBUILD NEW HOUSING**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve a HOME Program Subrecipient Agreement between Maricopa County and the Guadalupe Youthbuild New Housing activity (UC0207) for \$316,922. Supervisor Wilcox noted that Youthbuild trains youth 16-25, in the building trade for future employment and that six housing units had been built in Guadalupe. (C1705069100)

**DONATION OF 350 OCOTILLOS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to accept and recognize the donation of 350 Ocotillos from John and Christine Augustine to the Maricopa County Parks and Recreation Department. Supervisor Kunasek reported that John Augustine, who owns Desert Tree Farms, had donated the Ocotillos from a surplus from when he started 10,000 of the cacti from seed believing there would soon be a shortage of them since so many people went to the desert and dug up the native plants. (C3005023M00) (ADM3200)

**RESOLUTION REGARDING THE BLACK CANYON TRAIL**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and sign a resolution to the Bureau of Land Management and the City of Phoenix regarding commitment toward realignment of the Black Canyon Trail. The resolution appoints the Director of Parks and Recreation as an agent of the Board of Supervisors to conduct all regional planning efforts, and negotiate agreements and amendments, subject to final approval by the Board of Supervisors, that may be necessary for the administration and completion of the realignment of the Black Canyon Trail. (C3005024M00) (ADM3205)

**RESOLUTION**

**WITH THE BUREAU OF LAND MANAGEMENT  
AND THE CITY OF PHOENIX  
TO REALIGN THE BLACK CANYON TRAIL**

**WHEREAS**, the U. S. Bureau of land Management Phoenix Field Office has established the historic Black Canyon Trail for outdoor recreational use by the general public; and

**WHEREAS**, the City of Phoenix Parks, Recreation and Library Department has established the City of Phoenix Trails Master Plan showing the planned locations for the citywide trail network and park facilities; and

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

**WHEREAS**, the Maricopa County Board of Supervisors adopted the Maricopa County Regional Trail System Plan on August 16, 2004, linking 9 County parks with 240 miles of non-motorized, multiuse trail,

**NOW, THEREFORE, BE IT RESOLVED** that the Maricopa County Board of Supervisors hereby:

1. Commits to working with the Bureau of Land Management and the City of Phoenix to realign the Black Canyon Trail for the mutual benefit and enhancement of the recreational needs of the general public; and
2. Certifies that project agreements will be consistent and compatible with all adopted plans and programs of the Maricopa County Parks and Recreation Department (PRD); and
3. Certifies that PRD will comply with all appropriate federal, state and municipal regulations, policies and requirements as they relate to the project agreements; and
4. Appoints the PRD Director as an agent of the Maricopa County Board of Supervisors to conduct all regional planning efforts, and negotiate agreements and amendments, subject to final approval by the Board of Supervisors, that may be necessary for the administration and completion of this project. The PRD Director may delegate authority to conduct day-to-day administration of the project.

**DATED** this 5<sup>th</sup> day of January 2005.

/s/ Max W. Wilson, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

**FUND TRANSFERS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference. provide regular and routine fund transfers from the operating funds to clearing fund including payroll, work authorizations, journal entries, allocations, loans, and paid claims.

**QUIT CLAIM DEED TO PHOENIX ELEMENTARY SCHOOL DISTRICT NO. 1**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) on a roll call vote with Supervisors Stapley, Brock, Kunasek, Wilcox and Wilson voting "aye" to authorize the execution of a Quit Claim Deed from Maricopa County to Phoenix Elementary School District No. 1, for the property known as Franklin School and referenced as Assessor Parcel Number 111-18-144. This property was conveyed sometime during the 1920's or before, however, the original conveyance document cannot be found. This Quit Claim Deed is needed to allow Phoenix Elementary School District No. 1 to sell the subject property to Phoenix Union High School District 210. (C1805018M00) (ADM812)

**SOLICITATION SERIALS**

Motion was made by Supervisor Stapley, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following solicitation serial items. The action on the following items is subject to County

**FORMAL SESSION  
January 5, 2005**

Counsel's review and approval of the respective contracts and subsequent execution of contracts.  
(ADM3005)

**Solicitation Serials**

- 04023-S      RE-LAMPING AND REPAIR SERVICES** (\$1,000,000.00 est./5 Years)  
Pricing Agreement to purchase re-lamping and repair services as requested by the Facilities Management Department.
- Hernandez Companies Inc
  - Fluoresco Lighting – Sign Maintenance Corporation
  - Deca Southwest Lighting & Electrical Maintenance
- 04168-C      SOFT DRINKS AND REFRIGERATED VENDING MACHINES** (\$600,000.00 est./3 Years with 3 One-Year Renewal Options) Pricing Agreement to purchase soft drinks with refrigerated vending machines as requested by MCSO Food Service.
- Kalil Bottling Company
- 04173-S      COMPUTER TRAINING PROVIDERS** (\$550,000.00 est./4 Years with 2 One-Year Renewal Options) Pricing agreement to provide computer training to County personnel at the request of the CIO.
- Interface Technical Training
  - Learn It!
  - Learnsoft Consulting Inc
  - MindWorks
  - Training To You Inc

**Contract increases for the following contract(s).** This request is due to an increased usage by County departments.

- 99174-RFP - ELECTIONS BALLOT PRINTING** (\$1,000,000.00 Increase)  
Increase price agreement value from \$3,500,000.00 to \$4,500,000.00. This \$1,000,000.00 Increase is being requested by the Elections Department to cover printing requirements from the November Elections. A substantial increase in the number of registered voters provided for the extra costs. This price agreement expires April 30, 2005.
- 01028-SC - CONSTRUCTION EQUIPMENT RENTAL WITH OPERATOR** (\$975,000.00 Increase)  
Increase price agreement value from \$850,000.00 to \$1,825,000.00 This \$975,000.00 increase is the result of MCDOT identifying two additional projects that require completion during FY05. Price agreement expiration date is June 30, 2006.
- 03038-C - FUEL FOR ABOVEGROUND TANKS, PURCHASE AND DELIVERY** (\$60,000.00 Increase)  
Increase price agreement value from \$505,201.00 to \$565,201.00. This \$60,000.00 is requested by the Equipment Services Department to purchase fuel

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

for the new Lake Pleasant Site. This price agreement expires on September 30, 2005.

**03056-C - DIGITAL RECORDING TAPES (\$400,000.00 Increase)**

Increase price agreement value from \$450,000.00 to \$850,000.00. This \$400,000.00 increase is requested by the Sheriff's Office to cover purchases for the new jail facilities. This price agreement expires on August 31, 2005.

**04026-RFP - FILE FOLDER TRACKING SYSTEM (\$150,000.00 Increase)**

Increase price agreement value from \$260,000.00 to \$410,000.00. This \$150,000.00 increase is requested by the County Attorney's Office to compensate for an underestimation of requirements and an anticipated increase in population and crime rate growth. This price agreement expires on May 31, 2006.

**IGA WITH REGIONAL PUBLIC TRANSPORTATION AUTHORITY (RPTA)**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental Agreement (IGA) between Maricopa County and the Regional Public Transportation Authority (RPTA)/Valley Metro in the amount of \$400,000 for services to the Maricopa County Regional Travel Reduction program. Funding to support these activities is from a grant to Maricopa County from the Maricopa Association of Governments (MAG). The RPTA will carry out project work activities, issue requests for proposals and hire consultants as required to perform related work activities. This agreement remains in effect for the period necessary to complete activities specified in the IGA, such period not to exceed September 30, 2005. (C8505003000)

**KENNEL PERMIT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the issuance of a kennel permit for Michael Morris, d.b.a. Sunshine Kennels, 8007 E Roosevelt, Scottsdale, AZ 85257 (Mailing Address: P O Box 51183, Phoenix, AZ 85076), District 1 for the term of January 5, 2005 through January 4, 2006. The cost of a kennel permit is \$90.00. (C7905053C00) (ADM2304)

**RENEW KENNEL PERMITS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following kennel permit renewals for the term of January 5, 2005 through January 4, 2006. The cost of each kennel permit is \$90.00. (C7905054C00)(ADM2304)

- Steven Kelso, d.b.a. Salt River Kennels, 1918 E Jones Ave., Phoenix, AZ 85040, District 5, Permit #201;
- Billie Jo Maxey, d.b.a. Maxey Kennels 16047 N 67th Lane, Peoria, AZ 85382, District 4, Permit #373;
- Sandra Holtzman, d.b.a. Holtzman Kennels, 3043 E Grovers Ave., Phoenix, AZ 85032, District 3, Permit #375;
- Lue Jean Brooks, d.b.a. Springbrook Kennels, 36614 N 23rd St., Phoenix, AZ 85086, District 3, Permit #294; and,
- Elisabeth Kawakami, d.b.a. Lorelei Kennels, 10623 N 24th Pl., Phoenix, AZ 85028, District 3, Permit #083



|   |
|---|
| <b>MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK</b> |
|---|

**FORMAL SESSION**  
**January 5, 2005**

**DONATION BY PETSMART**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the acceptance of a donation made by PETsMART Charities to Control (AC&C) in the amount of \$615.00 (C7905051700)(ADM2300)

**IGA WITH PHOENIX FOR ANIMAL CONTROL FIELD SERVICES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental agreement between the City of Phoenix and Maricopa County Animal Care & Control. The contract is to provide the City of Phoenix with animal control field services as determined in the contract. The City agrees to pay an estimated \$1,881,591 for FY 2004–05 for enforcement of rabies/animal control in accordance with City Rabies/Animal Ordinance with Leash Law based on full cost recovery for actual level of service. The term of the contract is from July 1, 2004 through June 30, 2007. Each subsequent year payment from the City of Phoenix is based on full cost recovery. (C7905052200)

**AMENDMENT TO IGA WITH BUCKEYE ELEMENTARY SCHOOL DISTRICT FOR TOBACCO USE PREVENTION & EDUCATION SERVICES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment #1 to the Intergovernmental Agreement with the Buckeye Elementary School District. The amendment will increase the amount of the contract by \$2,000, making the total NTE \$4,000. The effective date of the amendment is retroactive from November 1, 2004 to June 30, 2005. (C8605422201)

**IGA WITH HIGLEY UNIFIED SCHOOL DISTRICT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an Intergovernmental Agreement with the Higley Unified School District to provide school-based tobacco use prevention and education services. The term of the agreement is retroactive from November 1, 2004 through June 30, 2005 for a contract dollar amount NTE \$8,000. (C8605426200)

**IGA WITH BALSZ ELEMENTARY SCHOOL DISTRICT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment #1 to Contract # C86054332, an Intergovernmental Agreement with the Balsz Elementary School District. The amendment will increase the amount of the contract by \$2,000, making the total NTE \$10,000. The effective date of the amendment is retroactive from November 1, 2004. (C8605433201)

**NON-FINANCIAL AGREEMENT WITH PHOENIX CHILDREN'S HOSPITAL**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve and sign a non-financial agreement between Maricopa County, through its Department of Public Health, and Phoenix Children's Hospital, to provide clinical pediatric dietetic experience for graduate students in the dietetic internship. The agreement is non-financial, and the term is from the date of Board of Supervisors' approval through June 30, 2009. (C8605560100)

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

**CONTRACT WITH BANNER GOOD SAMARITAN**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Banner Good Samaritan contract with Maricopa County Department of Public Health, which will allow MCDPH to conduct bedside interviews with postpartum women in Banner Good Samaritan Hospital. By approving this agenda item, the Board will be authorizing the Chairman to sign all agreements and subsequent administrative amendments related to this contract. This is a no-cost, non-financial contractual agreement. (C8605561100)

**CONSOLIDATED LETTER OF INTENT FOR FY 2005-06 GRANTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to authorize the Department of Public Health to apply for 45 grants and contracts for calendar 2005 and fiscal year 2005-2006, and to receive any and all such funds awarded. All programs protect and promote the health and well-being of Maricopa County residents, and several are operated pursuant to statutory mandate. Approval of this Consolidated Letter of Intent will authorize the Chairman to sign all applications, contracts, intergovernmental agreement and any subsequent administrative amendments related to these grants/contracts.

All grants listed are cost-reimbursement, with the exception of the Ryan White Title I and 3-A-Day Dairy Education grants which are administered on an advanced payment system. The Department estimates total grant funding NTE \$47,349,728.00. Unless otherwise approved indicated on the attached documents, the Department will recover 100 percent of available indirect charges. The current approved indirect rate for the Department is 19.3 percent, which includes a County central service rate of 8.1 percent. Estimated recoverable indirect costs are \$4,035,081.00. Unrecoverable indirect costs are estimated at \$433,765.00. Grants and contracts with less than full indirect are mandated by the grantor at a lower level. This amount may be adjusted based on the FY 2006 Indirect Cost Allocation Plan. (C86055623LI)

**CONTRACT AMENDMENT WITH CENTRAL ARIZONA SHELTER SERVICES (CASS)**

Item: Approve Amendment Number 4 to sole source Contract Number C86010611 with Central Arizona Shelter Services, Inc., (CASS) for the provision of dental services to homeless individuals. The amendment increases the contract dollar amount by \$50,000 and retroactively extends the budget term from November 1, 2004 to October 31, 2005. Total funding for the contract will increase from NTE \$200,000 to NTE \$250,000. All other terms and conditions remain unchanged. (C8605563100)

Mark Holloran, Central Arizona Shelter Services (CASS), said that CASS has a long history of working with the County in areas dealing with healthcare for the homeless. He spoke of a dental program that the \$50,000 given by the County during the last fiscal year helped provide for medically determined dental care to 125 individuals who received approximately \$125,000 worth of dental care.

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve Amendment Number 4.

**CREATION OF EMPLOYEE RECOGNITION REWARD PROGRAM**

In accordance with Section X of the Maricopa County Compensation Plan, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the creation of the Facilities Management Quarterly Employee Recognition Reward Program as an employee

**FORMAL SESSION  
January 5, 2005**

recognition program for FY 2004-05 to allow for the purchase of American Express gift cards (02059-RFP) in denominations of 25 points for a maximum award of 50 points per employee per event. These gifts cards have no cash value. The cost of the program is anticipated at \$3,200.00 and will be absorbed in the current expenditure budget of Department 70/Facilities Management, Fund (100). The program will cover the period from July 1, 2004 through June 30, 2005. (C7005031800) (ADM3336)

**AMENDMENTS TO FY 2004-05 FIVE-YEAR CAPITAL IMPROVEMENT PLAN**

In accordance with A.R.S. Section 42-17106(B), motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize the following amendments to the FY 2004-05 Five-Year Capital Improvement Plan, Fund 445, Department 470:

- a) Increase FY 2003-04 projected expenditures to final actual expenditures for the Northeast Superior Court / Justice Court Expansion, Function Class CNRT, Fund 445, by \$372,662 from \$1,998,186 to \$2,370,848 and adjust the project budget as follows: decrease Year 1 (FY 2004-05) by \$372,662, from \$14,600,000 to \$14,227,338.
- b) Increase FY 2003-04 projected expenditures to final actual expenditures for the Northwest Consolidated Justice Courts, Function Class RNRC, Fund 445, by \$20,762 from \$300,000 to \$320,762 and adjust the project budget as follows: decrease Year 1 (FY 2004-05) by \$20,762 from \$500,000 to \$479,238.
- c) Reduce FY 2003-04 projected expenditures to final actual expenditures for the New Administrative Services Building Closeout, Function Class BNSB, (formerly Downtown Campus Expansion / Improvements), Fund 445, by \$110,710, from \$353,898 to \$243,188 and adjust the project budget as follows: increase Year 1 (FY 2004-05) by \$110,710 from \$575,000 to \$685,710.
- d) Reduce FY 2003-04 projected expenditures to final actual expenditures for the Security Building, Function Class SSCB, Fund 445, by \$71,600 from \$500,000 to \$428,400, and adjust the project budget as follows: increase Year 1 (FY 2004-05) by \$71,600 from \$4,821,059 to \$4,892,659.
- e) Increase FY 2003-04 projected expenditures to final actual expenditures for the San Tan Mountain Park Improvements, Function Class SNTN, Fund 445, by \$3,407 from \$52,796 to \$56,203, and adjust the project budget as follows: decrease Year 1 (FY 2004-05) by \$3,407 from \$595,204 to \$591,797.
- f) Transfer expenditure authority from Year 1 (FY 2004-05) in the amount of \$117,333 from the excess expenditure authority in the Environmental Services project (SESB), Intergovernmental Capital Projects (Fund 422) General Government (470) to the General Fund County Improvements (Fund 445) General Government (470). The amount of expenditure authority required in this fund also includes the increase in FY 2004-05 expenditures for the Downtown Consolidated Justice Courts project, function class DCJC, which amounted to \$331,854 approved in agenda C7005018800 on September 15, 2004. Additional expenditure authority was not requested at that time. The total expenditure authority required for all continuing projects in fund 445 is \$117,333.

The requested action is necessary because the actual spending during FY 2003-04 for the New Administrative Services Building Closeout and the Security Building was less than anticipated and the actual spending for Northeast Superior Court / Justice Court Expansion, Northwest Consolidated Justice Courts, and San Tan Mountain Park Improvement was more than anticipated. The requested action has a net impact of zero on the approved project budgets. Expenditure authority of \$117,333 in FY 2004-05 will be transferred from Fund 422 which has excess expenditure authority capacity of \$452,597. (C7005032800) (ADM1820)

**FORMAL SESSION  
January 5, 2005**

**IGA WITH GILBERT TO PERMIT A PUBLIC WORKS FACILITY**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an IGA with the Town of Gilbert to permit a public works facility on Town of Gilbert property subject to County Counsel approving the final non-substantive language of the IGA. (C4405013000)

**EASEMENT, RIGHT-OF-WAY AND RELOCATION DOCUMENTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. List on file in the Office of the Clerk of the Board of Supervisors. (ADM2007)

- |                  |  |
|------------------|--|
| A078.013<br>(CS) | Project No: TT028 – PM 10 /11th Avenue (Galvin to Cloud) – Agreement for Right of Entry – Parcel No.: 211-54-025L – Rory A. Gagnon and Amanda K. Gagnon – for the sum of \$100.00.   |
| A078.022<br>(CS) | Project No: TT028 – PM 10 / 11th Avenue (Galvin to Cloud) – Agreement for Right of Entry – Parcel No.: 211-54-031B – David D. Johnson and Kathryn Johnson - for the sum of \$100.00.   |
| A078.024<br>(CS) | Project No: TT028 – PM 10 / 11th Avenue (Galvin to Cloud) – Agreement for Right of Entry – Parcel No.: 211-54-023K – Scot Turnquist and Mary Turnquist – for the sum of \$100.00.  |
| A078.025<br>(CS) | Project No: TT028 – PM 10 / 11th Avenue (Galvin to Cloud) – Agreement for Right of Entry – Parcel No.: 211-54-023J – Rex Alan Charlton and Regina Kaye Charlton – for the sum of \$100.00.   |
| A078.025<br>(CS) | Project No: TT028 – PM 10 /11th Avenue (Galvin to Cloud) – Easement and Agreement for Highway Purposes – Parcel No.: 211-54-023J – Rex Alan Charlton and Regina Kaye Charlton – for the sum of \$14,150.00.                                |
| A078.025<br>(CS) | Project No: TT028 – PM 10 /11th Avenue (Galvin to Cloud) – Purchase Agreement and Escrow Instructions– Parcel No.: 211-54-023J – Rex Alan Charlton and Regina Kaye Charlton.   |
| A078.026<br>(CS) | Project No: TT028 – PM 10 /11th Avenue (Galvin to Cloud) – Agreement for Right of Entry – Parcel No.: 211-54-021N – William E. Mytty and Sandra F. Mytty – for the sum of \$100.00.  |
| A078.027<br>(CS) | Project No: TT028 – PM 10 / 11th Avenue (Galvin to Cloud) – Agreement for Right of Entry – Parcel No.: 211-54-021Q – Quinn Armstrong and Tammy Lee Armstrong – for the sum of \$100.00.  |
| A078.028<br>(CS) | Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-51-010B – Trifecta Investments, L.L.C., an Arizona Limited Liability Company – for the sum of \$18,200.00. |

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

- A078.028 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-51-010B – Trifecta Investments, L.L.C., an Arizona Limited Liability Company.
- A078.031 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Agreement for Right of Entry – Parcel No.: 211-51-035G – Michael L. Smyser and Jennifer R. Smyser – for the sum of \$100.00.
- A078.031 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-51-035G – Michael L. Smyser and Jennifer R. Smyser – for the sum of \$26,000.00.
- A078.031 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-51-035G – Michael L. Smyser and Jennifer R. Smyser.
- A078.033 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Agreement for Right of Entry – Parcel No.: 211-51-036C – John G. Knajdl and Brigitte M. Knajdl – for the sum of \$100.00.
- A078.033 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-51-036C – John G. Knajdl and Brigitte M. Knajdl – for the sum of \$15,350.00.
- A078.033 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-51-036C – John G. Knajdl and Brigitte M. Knajdl.
- A078.036 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Agreement for Right of Entry – Parcel No.: 211-51-036K – Don Hauser and Darlene Guerrette – for the sum of \$100.00.
- A078.036 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Easement and Agreement for Highway Purposes – Parcel No.: 211-51-036K – Don Hauser and Darlene Guerrette – for the sum of \$15,650.00.
- A078.036 (CS) Project No: TT028 – PM 10 / 11th Avenue (Cloud to Maddock Road) – Purchase Agreement and Escrow Instructions – Parcel No.: 211-51-036K – Don Hauser and Darlene Guerrette.
- A121.003 (JPM) Project No: TT043 – McNeil Street (35th Avenue to 31st Avenue) – Agreement for Right of Entry – Parcel No.: 300-15-008P – Patricia A. Noel and Ted Noel – for the sum of \$100.00.
- A121.003 (JPM) Project No: TT043 – McNeil Street (35th Avenue to 31st Avenue) – Easement and Agreement for Highway Purposes – Parcel No.: 300-15-008P – Patricia A. Noel and Ted Noel – for the sum of \$8,272.00.
- A121.003 (JPM) Project No: TT043 – McNeil Street (35th Avenue to 31st Avenue) – Purchase Agreement and Escrow Instructions – Parcel No.: 300-15-008P – Patricia A. Noel and

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

Ted Noel.

- A121.004 (JPM) Project No: TT043 – McNeil Street (35th Avenue to 31st Avenue) – Agreement for Right of Entry – Parcel No.: 300-15-008V – Miller D., Frazier and Carol A. Frazier – for the sum of \$100.00.
- A121.005 (JPM) Project No: TT043 – McNeil Street (35th Avenue to 31st Avenue) – Agreement for Right of Entry – Parcel No.: 300-15-008W – Timothy L. Rawlings and Dawn M. Rawlings – for the sum of \$100.00.
- A136.011 (DWM) Project No: 69010 – Know Road (130th Street to 132nd Street) – Warranty Deed – Parcel No.: 302-82-084L – Douglas E. Brinkerhoff and Anis J. Brinkerhoff, as Co-Trustees – for the sum of \$23,380.00.
- A136.011 (DWM) Project No: 69010 – Know Road (130th Street to 132nd Street) – Purchase Agreement and Escrow Instructions – Parcel No.: 302-82-084L – Douglas E. Brinkerhoff and Anis J. Brinkerhoff, as Co-Trustees.
- A311.004 (JPM) Project No: TT163 (23012620) – MC 85 at Miller Road – Agreement for Right of Entry – Parcel No.: 400-20-029B – Jean Faraj – for the sum of \$100.00.
- A311.004 (JPM) Project No: TT163 (23012620) – MC 85 at Miller Road – Warranty Deed – Parcel No.: 400-20-029B – Jean F. Faraj – for the sum of \$600.00.
- A311.004 (JPM) Project No: TT163 (23012620) – MC 85 at Miller Road – Purchase Agreement and Escrow Instructions – Parcel No.: 400-20-029B – Jean F. Faraj.
- DD-9486 (TS) Project No: 69010 – Dedication (N/E corner Recker and Hunt Highway) – Easement and Agreement for Highway Purposes - Parcel No.: 304-88-027D - Barry W. Boyd and Nancy Boyd – for the sum of \$10.00.
- DD-9486 (TS) Project No: 69010 – Dedication (N/E corner Recker and Hunt Highway) – Purchase Agreement and Escrow Instructions - Parcel No.: 304-88-027D - Barry W. Boyd and Nancy Boyd.

**CONTRACT WITH STRUCTURAL GRACE INC.**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to award Contract No. 2004-134 with Structural Grace, Inc. for On Call Engineering Bridge Design (Structural) Services in an amount not to exceed \$250,000 during the contract performance period. The contract is effective for seven hundred thirty (730) calendar days following the Board of Supervisors' approval or until the expenditure of \$250,000, whichever occurs first. (C6405183500)

**MARICOPA HEALTH PLANS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the Personnel Agenda for the Maricopa Health Plans (Exhibit F). Exhibit F will be found at the end of this set of minutes. (Clerk's Note: Included in Maricopa County Personnel agenda (Exhibit A))

**FORMAL SESSION  
January 5, 2005**

**APPOINTMENTS TO THE AIR POLLUTION CONTROL BOARD**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve appointments to the Air Pollution Control Board as follows: (ADM2353-001)

- a. Reappoint John Rutledge as the nominee from District 1  
Term: from Board of Supervisors appointment to August 23, 2005.
- b. Reappoint Phil Noplos as the nominee from District 2  
Term: from Board of Supervisors appointment to August 23, 2006.
- c. Reappoint Kim MacEachern as the nominee from District 3  
Term: from Board of Supervisors appointment to August 23, 2005.
- d. Reappoint Jean McGrath as the nominee from District 4  
Term: from Board of Supervisors appointment to August 23, 2007.

**HEARING SET – PUBLIC HEARING REGARDING JUSTICE COURTS AUTOMATED SERVICES FEE**

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to set a public hearing for Wednesday, February 2, 2005, in the Board of Supervisors Auditorium pursuant to A.R.S. §11-251.08 and by request of the Presiding Judge of the Superior Court of Arizona in Maricopa County, consider authorization of the implementation of a Justice Courts Automated Services Fee of \$5.00 in Justice Courts civil, forcible detainer, and small claims actions. In civil, forcible detainer, and small claims actions, the fee will be assessed upon the plaintiff at the time of initial case filing and upon the defendant at the time of initial answer or response filing. The Justice Courts Automated Services Fee will not apply to cases filed pursuant to A.R.S. § 22-282(B) in which only a money judgment is sought and the amount sought does not exceed fifty dollars. Upon Board of Supervisors approval, the fee will be assessed effective as of the date of approval. Fee proceeds shall be deposited with the Maricopa County Treasure into the Justice Court Enhancement Fund (245) for disbursement by the Superior Court Presiding Judge to support and enhance all administration, implementation, integration, training and other aspects of case and document management systems in the Justice Courts. Expenditure of the funds is subject to appropriation by the Board of Supervisors. (C3805009800)(ADM1005)

**HEARING SET – PUBLIC HEARING REGARDING AIR POLLUTION CONTROL REGULATIONS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to set a public hearing for Wednesday, February 16, 2005, in the Board of Supervisors Auditorium, as required by Arizona Revised Statutes (ARS) §49-479(b), to solicit comments on proposed revisions to Maricopa County Air Pollution Control Regulation Rule 310.01 (Fugitive Dust From Open Areas, Vacant Lots, Unpaved Parking Lots, And Unpaved Roadways) and on submitting the rule as a revision to the (Arizona) State Implementation Plan (SIP). Following the public hearing, the Board will be requested to adopt proposed revisions to Maricopa County Air Pollution Control Regulations Rule 310.01 and to submit the rule as a revision to the (Arizona) State Implementation Plan. (C8505004000) (ADM 2354)

**HEARING SET - PLANNING AND ZONING CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated

|   |
|---|
| <b>MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK</b> |
|---|

**FORMAL SESSION**  
**January 5, 2005**

areas of Maricopa County for February 2, 2005, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2004-038; Z2004-048; Z2004-081; Z2004-105

**APPROVE MINUTES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the minutes of the Board of Supervisors meetings held August 16, September 13 and 15, 2004.

**ARTICLE 13 CONTRACTS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to ratify new and amended contracts procured by MIHS in 2004 in accordance with Article 13 of the Maricopa County Procurement code. (ADM2100-005)

**CONTRACT  
NUMBER**

**CONTRACTOR**

**SERVICE**

|                                     |   |  |
|-------------------------------------|---|--|
| C-60-05-520-M thru<br>C-60-05-527-M | Various   | Mutual Release and Settlement (Nursing Facilities)         |
| C-60-05-542-M thru<br>C-60-05-570-M | Various   | Mutual Release and Settlement (Nursing Facilities)         |
| C-60-03-029-0-01                    | TMC Advance Imaging   | Diagnostic Radiology                                       |
| C-60-01-083-1-05                    | Christine Place Apartments                                    | Assisted Living in Units                                   |
| C-60-00-019-1-04                    | ITO Acquisition Corporation dba Systems Management Specialist | Medicare Data Services                                     |
| C-60-01-139-1-04                    | Arizona Bridge to Independent Living (ABIL)                   | Attendant Care   |
| C-60-03-095-0-01                    | Insight Diagnostic Imaging                                    | Diagnostic Radiology                                       |
| C-60-00-005-1-08                    | Best Medical Group, LLC                                       | Urgent Care  |
| C-60-01-069-1-05                    | Immanuel Caring Ministries Inc., dba Immanuel Campus of Care  | Assisted Living in Units                                   |
| C-60-04-505-1-02                    | Doral Dental Services of Arizona, LLC                         | Letter of Agreement (3rd Party Dental Claims Adjudication) |

**ASRS CLAIMS**

No payment of claim requests to the Arizona State Retirement System were presented at this time. (ADM3309)

**CANVASS OF ELECTIONS**

Pursuant to A.R.S. §16-642(B), motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the canvasses of elections submitted by special districts.



**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

Daisy Mountain Fire District ADM4426  
Ocotillo Water Conservation District ADM4396  
Paloma Irrigation & Drainage District ADM4331  
Queen Creek Irrigation District ADM4318  
Roosevelt Water Conservation District ADM4397

**CLASSIFICATION CHANGES**

Pursuant to A.R.S. §42-12054, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the Assessor's recommendation to change classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

| <b>PARCEL NO.</b> | <b>YEAR</b> | <b>Owner</b>      | <b>FROM</b> | <b>TO</b> |
|-------------------|-------------|-------------------|-------------|-----------|
| 102-39-855        | 2002        | Jesse Sapien      | LC/4        | LC/3      |
| 102-39-855        | 2003        | Jesse Sapien      | LC/4        | LC/3      |
| 102-39-855        | 2004        | Jesse Sapien      | LC/4        | LC/3      |
| 111-39-267        | 2003        | Marlene Anderson  | LC/4        | LC/3      |
| 111-39-267        | 2004        | Marlene Anderson  | LC/4        | LC/3      |
| 113-41-146        | 2002        | Diana Martinez    | LC/4        | LC/3      |
| 113-41-146        | 2003        | Diana Martinez    | LC/4        | LC/3      |
| 113-41-146        | 2004        | Diana Martinez    | LC/4        | LC/3      |
| 121-02-029        | 2002        | Ben Ersland       | LC/4        | LC/3      |
| 121-02-029        | 2003        | Ben Ersland       | LC/4        | LC/3      |
| 121-02-029        | 2004        | Ben Ersland       | LC/4        | LC/3      |
| 123-45-166        | 2004        | John Kretschman   | LC/4        | LC/3      |
| 131-22-335        | 2003        | Jessie Garcia     | LC/4        | LC/3      |
| 131-22-335        | 2004        | Jessie Garcia     | LC/4        | LC/3      |
| 142-62-684        | 2002        | Doris Craven      | LC/4        | LC/3      |
| 142-62-684        | 2003        | Doris Craven      | LC/4        | LC/3      |
| 142-62-684        | 2004        | Doris Craven      | LC/4        | LC/3      |
| 144-71-159        | 2002        | Antonia Valles    | LC/4        | LC/3      |
| 144-71-159        | 2003        | Antonia Valles    | LC/4        | LC/3      |
| 144-71-159        | 2004        | Antonia Valles    | LC/4        | LC/3      |
| 145-26-075        | 2002        | Irma Ruiz         | LC/4        | LC/3      |
| 145-26-075        | 2003        | Irma Ruiz         | LC/4        | LC/3      |
| 145-26-075        | 2004        | Irma Ruiz         | LC/4        | LC/3      |
| 148-05-300        | 2002        | Ronnie Parafiniuk | LC/4        | LC/3      |
| 148-05-300        | 2003        | Ronnie Parafiniuk | LC/4        | LC/3      |
| 148-05-300        | 2004        | Ronnie Parafiniuk | LC/4        | LC/3      |
| 157-20-097        | 2003        | Aqua Crab         | LC/4        | LC/3      |
| 157-20-097        | 2004        | Aqua Crab         | LC/4        | LC/3      |
| 160-51-149        | 2004        | Carolyn Bachman   | LC/4        | LC/3      |
| 160-62-129        | 2002        | Jan Morgan        | LC/4        | LC/3      |
| 160-62-129        | 2003        | Jan Morgan        | LC/4        | LC/3      |
| 160-62-129        | 2004        | Jan Morgan        | LC/4        | LC/3      |
| 164-69-519        | 2002        | Ethel Ross        | LC/4        | LC/3      |
| 164-69-519        | 2003        | Ethel Ross        | LC/4        | LC/3      |
| 164-69-519        | 2004        | Ethel Ross        | LC/4        | LC/3      |
| 167-05-517        | 2002        | Sandra Hall       | LC/4        | LC/3      |

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

|             |      |                 |      |      |
|-------------|------|-----------------|------|------|
| 167-05-517  | 2003 | Sandra Hall     | LC/4 | LC/3 |
| 167-05-517  | 2004 | Sandra Hall     | LC/4 | LC/3 |
| 175-49-016  | 2004 | Duane Seaman    | LC/4 | LC/3 |
| 213-05-112  | 2002 | John Katrakis   | LC/4 | LC/3 |
| 213-05-112  | 2003 | John Katrakis   | LC/4 | LC/3 |
| 213-05-112  | 2004 | John Katrakis   | LC/4 | LC/3 |
| 214-60-009B | 2002 | Kathrine Golden | LC/4 | LC/3 |
| 214-60-009B | 2003 | Kathrine Golden | LC/4 | LC/3 |
| 214-60-009B | 2004 | Kathrine Golden | LC/4 | LC/3 |
| 217-48-962  | 2002 | Pam Templeman   | LC/4 | LC/3 |
| 217-48-962  | 2003 | Pam Templeman   | LC/4 | LC/3 |
| 217-48-962  | 2004 | Pam Templeman   | LC/4 | LC/3 |
| 232-03-383  | 2004 | Judy Osborn     | LC/4 | LC/3 |
| 301-26-383  | 2004 | Nathan Morris   | LC/4 | LC/3 |
| 302-48-244  | 2002 | Beverly Cone    | LC/4 | LC/3 |
| 302-48-244  | 2003 | Beverly Cone    | LC/4 | LC/3 |
| 302-48-244  | 2004 | Beverly Cone    | LC/4 | LC/3 |
| 503-60-351  | 2004 | Mary Parenica   | LC/4 | LC/3 |
| 503-98-773A | 2004 | John Sells      | LC/4 | LC/3 |

**CERTIFIED TAX ROLL**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept Certified Tax Roll for 2005, in accordance with ARS §42-15153. Detailed information, ownership, full cash values, and supporting data are contained in the files of the Assessor's Office and on magnetic tapes. (ADM703)

**DUPLICATE WARRANTS**

Necessary affidavits having been filed pursuant to A.R.S. §11-632, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve issuing duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

**COUNTY**

| <b>NAME</b>         | <b>WARRANT</b> | <b>FUND</b> | <b>AMOUNT</b> |
|---------------------|----------------|-------------|---------------|
| Scherene Murphy     | 250028209      | 766         | \$1,316.29    |
| Murphy Elem Schools | 350505628      | Expense     | \$3,751.11    |
| Lisa Bradley        | 350522535      | Expense     | \$782.50      |
| Vimolwan Pongtratie | 250033214      | Expense     | \$104.66      |
| Catherine Pfeffer   | 250033154      | Expense     | \$90.00       |
| Cella Michel        | 250017001      | Expense     | \$75.00       |
| Meko Jones          | 250031477      | Expense     | \$80.00       |
| Kelly Beecher       | 250028728      | Expense     | \$75.00       |
| Marcella Greenberg  | 250030694      | Expense     | \$90.00       |
| Nellie Henning      | 250030993      | Expense     | \$95.00       |
| Lisa Rosenfeld      | 250036660      | Expense     | \$1,400.07    |
| John Buffington     | 250029113      | Expense     | \$104.66      |
| Elizabeth Quinton   | 250017732      | Expense     | \$90.00       |

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

Juanita Contreras                                      350519708                                      Expense                                      \$1,347.00

**SCHOOL**

| <b>NAME</b>                    | <b>SCHOOL</b>          | <b>WARRANT</b> | <b>AMOUNT</b> |
|--------------------------------|------------------------|----------------|---------------|
| Theresa Cluff                  | Fowler SD              | 15-51837       | \$172.11      |
| Zenaida DeLopez                | TUHSD #24              | 15-0057453     | \$226.62      |
| Bryan Jonovich                 | BUHSD #201             | 140123656      | \$62.65       |
| Michael Gaskin                 | Palo Verde School      | 49508901       | \$863.10      |
| Support Payment Clearing House | Murphy Elem SD #21     | 45-0055787     | \$1,873.72    |
| Holly Estrada                  | Treasurer              | 15-0160239     | \$865.24      |
| Ikon Office Solutions          | Queen Creek Unified SD | 95528782       | \$1,169.21    |
| Juan Garcia                    | Osborn SD              | 150058674      | \$579.16      |
| Russell Bogardus               | Madison                | 1543543        | \$129.29      |
| Donny King                     | BUHSD #201             | 140081114      | \$488.52      |
| Cammie Hensley                 | Alhambra SD            | 150049056      | \$409.11      |
| Thomas Richard Sanzone         | Agua Fria UHSD         | 1549858        | \$892.09      |
| Poolman                        | Tolleson Union High    | 450037411      | \$1,621.50    |
| Incredible Years               | Osborn SD #8           | 450047806      | \$350.00      |
| Procure Therapy                | Laveen                 | 44-0002009     | \$5,602.50    |

**MIHS CLAIMS SETTLEMENT**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve settlement of claims with medical service providers pursuant to the Board-approved MIHS-HP Claims Resolution Process. (ADM409-001)

**SPECIAL DEPUTY CLERK**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the Official Appointment and Oath of Office for Evelyn Bester as a special deputy clerk, in the Office of the Clerk of the Board of Supervisors. (ADM700-001)

**PRECINCT COMMITTEEMEN**

There were no requests to approve the appointment or removal of precinct committeemen pursuant to A.R.S. 16-231.B. (ADM1701)

**REDEMPTION OF WAIVERS FOR INDIVIDUALS AND ORGANIZATIONAL EXEMPTIONS**

Pursuant to ARS §42-11153B, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve redemption of waivers for individuals and organizations requesting exemptions for the 2004 tax year. The list is on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library, Archives, and Public Records retention schedule. (ADM721)

**SECURED TAX ROLL CORRECTIONS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

|   |
|---|
| <b>MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK</b> |
|---|

**FORMAL SESSION**  
**January 5, 2005**

| <b>Tax Roll</b> | <b>Resolution No.</b> | <b>Net Result</b> |
|-----------------|-----------------------|-------------------|
| 2000            | 33550                 | -\$82.45          |
| 2000            | 3359                  | -\$6.82           |
| 2003            | 33548                 | -\$1,087.97       |

**SETTLEMENT OF TAX CASES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the settlement of tax cases, list dated January 5, 2005. (ADM704)

|                       |                  |
|-----------------------|------------------|
| <b>2003</b>           | TX 03-000615     |
| <b>2003/2004</b>      | TX 03-000623     |
| TX 02-000521          | TX 04-000008     |
| <b>2003/2004/2005</b> | TX 04-000044     |
| CV 2003-023800        | TX 04-000120     |
| ST 2003-000189        | TX 04-000144     |
| <b>2004</b>           | <b>2004/2005</b> |
| ST 03-000247          | ST 04-000055     |
| TX 03-000601          | ST 04-000153     |

**STALE DATED WARRANTS**

No stale dated warrant claims were presented at this time. (ADM1816)

**TAX ABATEMENTS**

No requests for tax abatements were received from the Treasurer's Office at this time. (ADM708)

**COMPROMISES**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in executive session held December 13, 2004) (ADM407)

|                     |             |              |            |
|---------------------|-------------|--------------|------------|
| Heidi Hubner        | \$11,590.80 | Anthony Winn | \$1,500.00 |
| Jose Ramierz Ibarra | \$2,500.00  | Crystal Winn | \$2,432.50 |
| Albina Llanas       | \$6,000.00  | Nathan Winn  | \$792.00   |

**WRITE-OFFS**

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to accept the requested write-offs as payment in full for the following cases. (Discussed in executive session held December 13, 2004) (ADM407)

|   |             |
|---|-------------|
| Swann Mclemore                                | \$1,650.00  |
| Lyle Patrick                                  | \$2,440.00  |
| Write off of Sheriff's uncollectible accounts | \$58,794.30 |

|   |
|---|
| <b>MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK</b> |
|---|

**FORMAL SESSION**  
**January 5, 2005**

(List on file in the Clerk of the Board's Office)

**PUBLIC COMMENT**

No member of the public came forward to speak at this time. (ADM605)

**SUPERVISORS'/COUNTY MANAGER'S SUMMARY OF CURRENT EVENTS**

Supervisor Brock commented on how much he enjoys honoring the long-term employees at each presentation, saying, "It is by far the most fun thing that we get to do as Supervisors." He saluted David Smith and the department heads for their part in creating satisfied County employees and stated, "Maricopa County is a great place to work and we want to continue to make it a fun, and a safe, and an exciting place of employment and service to the public." (ADM606)

Supervisor Brock also reported that he had recently gone to the Goodman Elementary School to judge a spelling bee and he recognized the teachers and administrators of that school who get the children excited each year about advancing to the State Spelling Bee contest. He commented on the competitiveness and the resulting disappointment when students misspelled a word.

Supervisor Brock said that yesterday Maricopa County had the pleasure of awarding the Sun Lakes Fire District a very generous check in excess of \$52,000 that was donated by the Gila River Indian Community for equipment and vehicles. He added that his family had received service from the Fire District nine days earlier in transporting his daughter to the hospital. He said his family had been impressed with their professionalism, their speed and their courtesy.

Supervisor Wilcox wished all her constituents a Happy New Year. She also congratulated the Flood Control District (FCD) in handling the recent rains which filled Valley rivers and threatened flooding. She had flown over the Valley recently and had noted that "nobody was flooding and all of the flood control channels were operational and performing efficiently." She thanked the FCD for doing their job so well.

Chairman Wilson also commented on the threats presented by the heavy rainfall and said, "it reminds me that when we vote on these (control) issues, we need to vote on them when the flood is going on because people really understand the impact then."

Chairman Wilson took the opportunity to thank his fellow members and others for the help he has received in his new position as Chairman of the Board in "keeping me on the right track."

**PLANNING AND ZONING**

David Smith left the dais at the end of this portion of the Board meeting. All Board Members, as listed above, remained in session. Joy Rich, Chief Regional Development Services Officer, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

**CODE ENFORCEMENT REVIEW – CARA STEELE – CONTINUED**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2002-00440, Cara Steele (This hearing continued from meeting of June 16, 2004) (Supervisory District No. 1) (ADM3417-023)

**FORMAL SESSION  
January 5, 2005**

Supervisor Brock asked that this item be continued to the February 16<sup>th</sup> Board meeting due to a conflict with the Board of Adjustment hearing. The Chairman agreed to continue this item to February 16, 2005.

**CODE ENFORCEMENT REVIEW – ROBERT AND SANDRA DIXON – CONTINUED**

This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2004-00185, Robert and Sandra Dixon, to be represented by W. Kent Foree, Attorney. (Supervisory District No. 1) (ADM3417-026)

Fran McCarroll, Clerk of the Board, announced that the attorney for Robert and Sandra Dixon was unavailable at this time and said this matter would be continued to the January 19, 2005, meeting.

**CONSENT AGENDA DETAIL:**

1.     **Z2004-088        District 4**  
       **Applicant:**    Beus Gilbert, PLLC, for Grosvenor Holdings, LLC / Security Title & M.T. Peyzack, LLC  
       **Location:**    Northwest corner of the 117<sup>th</sup> Ave. & Pinnacle Peak Rd. alignments (in the Peoria area)  
       **Request:**       Modification of Stipulation to remove the requirement for a renewable water supply for landscaped tracts – Dos Rios (119.38 ac.)

**COMMISSION ACTION:** Commissioner Clayburg moved to recommend approval of Z2004088, subject to the following stipulations "a" through "x". Commissioner Jones seconded the motion, which passed with a unanimous vote of 8-0.

- a.     Development and use of the site shall be in substantial conformance with the site plan/zoning exhibit entitled "Exhibit 'K' – Zoning Exhibit – Dos Rios" consisting of two 11" x 17" sheets included as part of the narrative report referenced in stipulation 'b' below – the site plan being dated revised March 18, 2003 and stamped received May 6, 2003, except as modified by the following stipulations.
- b.     Development and use of the site shall be in substantial conformance with the narrative report entitled "Dos Rios Plan of Development" a spiral-bound document dated revised April 2003 and stamped received May 6, 2003 modified by the narrative report entitled "Dos Rios Narrative" undated but stamped received August 13, 2004 except as modified by the following stipulations.
- c.     Dos Rios shall be limited to a maximum of 456 dwelling units.
- d.     Not less than 36.48 acres shall be set aside as open space within the project. To help ensure compliance, the total acres of open space shall be included on all plats. In addition, at the time of each preliminary plat submission the applicant shall include a description of the status of the cumulative open space land use acreage with respect to the minimum 36.48 acre requirement. The types of amenities and facilities that will be included within these areas shall also be listed on all applicable plats, and are subject to approval by the Maricopa County Planning and Development Department.

**FORMAL SESSION  
January 5, 2005**

- e. The master homeowners association for Dos Rios shall be responsible for the maintenance of all public open space, common areas, natural washes, parks, landscaped medians, all private roads, public open spaces and facilities, parks, roadway landscaping, landscaping within the public right-of-way adjacent to all public and private roadways, and of pedestrian and bicycle paths.
- f. Prior to approval of the first preliminary plat, the applicant shall submit a sound attenuation study that identifies noise issues and intended noise mitigation strategies related to residential development proximity to the Loop 303 Freeway. This study shall be subject to approval by the Maricopa County Department of Transportation.
- g. Prior to approval of the first preliminary plat, the applicant shall submit a "will serve" letter and Certificate of Convenience and Necessity (CC&N) from the Arizona American Water Company demonstrating commitment to provide both water and wastewater service to the entire project.
- h. Prior to approval of the first preliminary plat, the applicant shall submit a copy of the "developer assistance program," signed by both the applicant and the Peoria Unified School District and as identified in the narrative report, to the Maricopa County Planning and Development Department.
- i. Prior to approval of the first preliminary plat, the applicant shall submit a "will service" letter from the Sun City West Fire District to the Maricopa County Planning and Development Department.
- j. An archeological survey of the property shall be conducted prior to approval of any preliminary plat to locate and evaluate any cultural resources on the site. Once complete, a report of the results shall be provided to the Arizona State Historic Preservation Office for review and comment before any ground disturbing activities related to the development are initiated. The applicant shall perform an archaeological analysis to evaluate the eligibility of cultural resource sites for the National or State Register of Historic Places. If Register eligible properties cannot be avoided by development activities, then the Arizona State Historic Preservation Office should determine if a data recovery (excavation) program is necessary.
- k. The master developer shall notify all future homebuyers that they are not located within an incorporated city or town, and therefore will not be represented by a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services for police protection, fire protection, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, and be included in all homeowners association covenants, conditions, and restrictions (CC&Rs).
- l. The four mini-park sites identified on Exhibit 'L' – Open Space Exhibit of the narrative report document referenced in stipulation 'b' shall be sited on the plats and shall include recreational amenities acceptable to Planning and Development Department staff, such as a pedestrian pathways, tot-lots and picnic ramada with barbeque grill shall be provided.

**FORMAL SESSION  
January 5, 2005**

- m. Prior to or concurrent with the submittal of a final plat for any portion or phase of this development, a final landscape plan (including narrative description) is to be submitted. Landscaping in all common areas shall consist of plant species indigenous to this region of the Sonoran Desert. Turf shall be limited in common areas to retention basins and active playfields. Turf shall be limited only to non-evasive grass species. All landscaping within proximity to streets shall adhere to Chapter 9 of the MCDOT Roadway Design Manual.
- n. Development shall comply with the following Maricopa County Department of Transportation (MCDOT) stipulations:
  - i. An approved traffic impact analysis shall be on file with MCDOT. The analysis shall include development phasing and the offsite improvements necessary to accommodate the anticipated traffic demands. The initial development phase shall be based on existing conditions and not proposed roadways.
  - ii. The traffic analysis shall be updated prior to the first final plat approval to reflect current conditions. Additional lane capacity on offsite alignments will be reviewed with each resubmittal of the traffic analysis. The Applicant shall provide a financial assurance to guarantee the offsite improvements that are recommended in their approved analysis. Subsequent updates of the traffic analysis will be required by MCDOT if changing conditions warrant.
  - iii. Developer contribution for proportionate share of offsite regional roadway improvements is based upon 438 total residential units @ \$4600 per unit or 2.3 lane miles, whichever is the greatest value. The amount in this paragraph is based on contributions made in fiscal year 2002-2003. Contributions made each fiscal year thereafter shall be adjusted by the annual percentage change in the GDP Price Deflator as defined in Section 41-563, Subsection E of the Arizona Revised Statutes. Roadways shall meet county standards in effect at the time they are improved.
  - iv. All identified offsite alignments must be consistent with a County approved transportation plan.
  - v. All-weather access shall be provided to all parcels and on all arterial roadways.
  - vi. A minimum of two (2) access points shall be provided and available to each development phase and/or subdivision unit.
  - vii. The location of any connections to the Loop 303 shall be reviewed and approved by Maricopa County Department of Transportation.
  - viii. Applicant shall be responsible for submitting their arterial street network to the MAG Transportation Improvement Program for conformity analysis. Approval is required prior to commencing construction.
  - ix. The developer is responsible for noise mitigation adjacent to the site. Mitigation shall be consistent with current MCDOT noise policy.



**FORMAL SESSION  
January 5, 2005**

- x. Provide the ultimate half-width right-of-way on all perimeter boundaries consistent with a County approved transportation plan (40' on Pinnacle Peak Road and 65' on 119<sup>th</sup> Avenue).
- xi. The Applicant is responsible for acquisition of all additional rights-of-way per the Traffic Impact Study.
- xii. An underground conduit system (or comparable technology) shall be provided within the rights-of-way throughout the development to integrate traffic signals and for future ITS uses.
- xiii. Use of neighborhood electric vehicles shall be accommodated in this development. Routes and other design features shall be established, as necessary, to provide safe and efficient circulation in conformance with prevailing laws and requirements at time each phase is submitted for approval.
- xiv. Bike lanes shall be included on all arterial and major collector alignments. A bicycle circulation plan shall be provided with each phase of development.
- xv. Development should be designed to promote pedestrian and bicycle use and other alternative modes of transportation to public facilities within and adjacent to the site, (e.g., bus bays, park-and-ride lots, internal trail systems).
- xvi. All streets are required to meet minimum County standards, unless waived by the Board of Supervisors.
- xvii. Street lighting installation shall be the responsibility of the developer. A Street Light Improvement District or comparable authority shall be established to provide operation and maintenance.
- xviii. Landscaping shall conform to Chapter 9 of the MCDOT Roadway Design Manual. Maintenance of landscaping within public rights-of-way shall be the responsibility of the applicant.
- xix. Offsite alignments where only two lanes are constructed, the minimum half-width right-of-way shall be acquired. Once a phase requires additional widening of the roadway beyond two lanes, the minimum full-width right-of-way shall be acquired. These widths are minimums and wider rights-of-way may be necessary due to existing terrain.
- xx. No median improvements, curb and gutter, sidewalk, landscaping or signalization is required on access roads, unless otherwise specified herein or in the development agreement.
- xxi. A construction traffic circulation plan shall be provided and approved by MCDOT prior to commencing construction.
- xxii. Applicant shall employ appropriate procedures during construction to comply with Maricopa County dust control requirements.

**FORMAL SESSION  
January 5, 2005**

- xxiii. This project is subject to the National Pollutant Discharge Elimination System (NPDES) Stormwater requirements for construction sites under the Environmental Protection Agency (EPA) General Permit for Arizona. Applicant is responsible for complying with these requirements.
- xxiv. A development agreement or comparable document shall be initiated prior to approval of any Preliminary Plat, and shall be executed prior to any Final Plat approval. This agreement shall further detail transportation issues, including improvement phasing and cost share contributions for offsite regional roadway improvements.
- o. The Preliminary Plats shall be granted road waivers to the provision of an arterial route along the 123<sup>rd</sup> Avenue alignment and a collector route along the Calle Lejos alignment. A road waiver shall also be granted for the provision of an arterial route along the Pinnacle Peak Rd. alignment. Dedication and improvements to Pinnacle Peak Road and 119<sup>th</sup> Avenue shall be provided as indicated in stipulation 'o'.
- p. Development shall comply with the following stipulations of the Flood Control District of Maricopa County (FCD):
  - i. Prior to approval of any Preliminary Plat, the applicant must submit a revised drainage report that reflects the modified residential project. The revised drainage report must address the following:
    - 1) The quantity of retention by sub-basin along with the location and size of retention areas of sufficient size to accommodate the required retention.
    - 2) It also needs to determine how off-site flows routed around the site will be returned to the original drainage course without increasing the volume or velocity of flow
    - 3) Peak 100-year runoff from each on-site sub-basin needs to be computed along with hydraulic calculations showing how the runoff will be conveyed within on-site drainage courses, including the size of any channels, culverts, or stormdrains, and the size and location of drainage tracts. Typical lot grading details are also needed.
    - 4) The preliminary drainage report indicated that the west and east off-site channels will be grass-lined. The master drainage report will need to state how these areas will be maintained and what provisions will be made for annual maintenance certification.
  - ii. Prior to approval of the Final Plat and commencement of construction activities, a drainage clearance will need to be obtained from FCD. This will require the submission of detailed construction plans for grading and drainage and roadways, along with a final drainage report that includes detailed analyses of the proposed drainage features in accordance with the applicable drainage regulations and design standards.

**FORMAL SESSION  
January 5, 2005**

- q. Development shall comply with the following stipulations of the Maricopa County Environmental Services Division (MCESD):
  - i. The conceptual Water and Wastewater Master Plans (on-site and off-site) for Dos Rios project shall receive approval by MCESD prior to approval of the first Preliminary Plat by the Planning and Zoning Commission.
  - ii. The designs for the backbone (or offsite) water distribution and sewer collection system supporting all phases shall be approved by MCESD prior to approval of the first Final Plat by the Board of Supervisors.
  - iii. Designs of the water distribution and sewer collection system (on-site) for each phase of the Dos Rios project shall be approved by MCESD prior to Final Plat approval of each phase by the Board of Supervisors
- r. Zoning approval shall be conditional in accordance with the Maricopa County Zoning Ordinance, for a period of (5) years from Board of Supervisors approval, within which time development shall commence. This shall be construed as approval of a final plat for the first phase of project development. If development has not commenced within the five year requirement, the property shall revert to its former zoning classification unless the Board of Supervisors grants an extension.
- s. Since the project is located within the State defined "Territory in the Vicinity of a Military Airport", notice shall be given to prospective and future residents that they are located in the territory in the vicinity of a military airport and maybe subject to loud noise from military aircraft overflights and noise events. Such notice shall be posted in a conspicuous location on the front door of the home sales office(s) and model home(s) on not less than an 8½" x 11" posting, be recorded on all final plats, and be included in the covenants, conditions, and restrictions (CC&Rs).
- t. All habitable buildings constructed within Dos Rios shall be constructed to attain noise reduction as per A.R.S. § 28-8482(B).
- u. Estimated emergency response times, existing at the time of home sales and as provided by the Sun City West Fire District and the Maricopa County Sheriff's Office, shall be posted in a conspicuous location on the front door of model home(s) and in the home sales office(s) on not less than an 8½" x 11" posting.
- v. Major changes to this plan of development (the site plan and narrative report) shall be processed as a revised application in the same manner as this application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department, Project Management Division.
- w. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- x. All driveways to front-loaded garages shall observe a minimum length of 18' as measured from sidewalk or back of curb (in the event of no sidewalk) to base of the garage.

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

Darren Gerard reported on proceedings at the Planning Commission for this item.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to concur with the Planning Commission's recommendation for approval with stipulations "a" through "x."

- 2.      Z2004-098      District 4**  
**Applicant:**      Beus Gilbert, PLLC, for Grosvenor Holdings, LLC / Security Title & M.T. Peyzack, LLC  
**Location:**      Northwest corner of the 117<sup>th</sup> Ave. & Pinnacle Peak Rd. alignments (in the Peoria area)  
**Request:**      Major Amendment to the RUPD standards for wall height, key lots, and hillside disturbance – Dos Rios (119.38 ac.)

**COMMISSION ACTION:** Commissioner Clayburg moved to recommend approval of Z2004098, subject to the following stipulations "a" through "d". Commissioner Jones seconded the motion, which passed with a unanimous vote of 8-0.

- a.      Development and use of the site shall be in substantial conformance with the zoning exhibit entitled "Zoning Exhibit for Dos Rios" consisting of one (1) full-sized sheet dated revised October 27, 2004 and stamped received November 1, 2004, except as modified by the following stipulations. Within 30 days of approval by the Board of Supervisors, the applicant shall submit a revised Zoning Exhibit which reflects the RUPD chart shown in this staff report.
- b.      Development and use of the site shall be in substantial conformance with the hillside exhibit entitled "Hillside Disturbance Exhibit for Dos Rios Unit One" consisting of two (2) full-sized sheet date stamped by the engineer October 27, 2004 and stamped received November 4, 2004, except as modified by the following stipulations.
- c.      Development and use of the site shall be in substantial conformance with the narrative report entitled "Dos Rios Narrative" consisting of four (4) pages dated revised November 2004 and stamped received November 4, 2004 except as modified by the following stipulations.
- d.      All stipulations of the previous approvals for Z2000109 & S2003054 (or subsequent preliminary plat extensions) shall apply.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to concur with the Planning Commission's recommendation for approval with stipulations "a" through "d."

- 3.      S2004-018      District 4**  
**Applicant:**      Grosvenor Holdings L.C.  
**Location:**      East of the northeast corner of Pinnacle Peak Rd. & El Mirage Rd. alignments (in the northwest Peoria/Sun City West area)  
**Request:**      Final Plat in the R1-6 RUPD zoning district for Dos Rios Unit 1 (approx 71.54 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve this final plat.

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION**  
**January 5, 2005**

- |           |                   |   |
|-----------|-------------------|---|
| <b>4.</b> | <b>S2004026</b>   | <b>District 4</b>   |
|           | <b>Applicant:</b> | Daniels Development Services  |
|           | <b>Location:</b>  | Southeast corner of Sarival Ave. & Peoria Ave. (in the west Glendale/Surprise area)                           |
|           | <b>Request:</b>   | Final Plat in the R1-35 RUPD and C-1 PD zoning districts for Twelve Oaks Estates (approx. 133.41 gross acres) |

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve this final plat.

**REGULAR AGENDA DETAIL:**

- |    |   |  |
|----|---|--|
| 5. | <b>TA2004-004</b><br><b>Applicant:</b><br><b>Request:</b> | <b>All Districts</b><br>Andrew E. Moore of Earl, Curley & Lagarde, P.D. for Hal Borhauer<br>Text Amendment to Articles 805.2.20 and 1301.1.27 of the Maricopa County<br>Zoning Ordinance in regard to the commercial storage of motor vehicles as a<br>use-by-right in the C-3 zoning district and as an allowed Special Use (SUP) |
|----|---|--|

**COMMISSION ACTION:** Commissioner Barney moved to recommend approval of TA2004004 with staff recommended language. Commissioner Pugmire seconded the motion, which passed with a majority vote of 7-1, with Commissioner Munoz dissenting.

Staff recommended TA language:

MCZO, Article 805.2.20:

Commercial storage or long-term parking (but not to include impoundment, salvage operations, dismantling or sale of parts) of automobiles, motor vehicles, mobile homes, travel trailers, recreation vehicles, boats and aircraft on sites of not less than one acre.

MCZO, Article 1301.1.27:

Commercial storage or impoundment (not to include salvage operations, dismantling or sale of parts) of automobiles, motor vehicles, mobile homes, travel trailers, recreation vehicles, boats and aircraft on sites of not less than one acre.

Darren Gerard reported on previous action for this item. Supervisors Kunasek and Wilcox asked that only the proposed text for Article 1301.1.27 be adopted as this would make the ordinance more limited than would be the case if both proposed amendments were adopted, see below. Hal Borhauer, applicant, and his representative, Andy Moore, were both in favor of the language as amended.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek and unanimously carried (5-0) to concur with the Planning Commission for approval, but with modified language to that recommended by staff and P&Z so that Article 8-5.2.20 is left unchanged but the language of Article 1301.1.27 be adopted as proposed (below).

MCZO, Article 805.2.20 - C-3 Zoning District:

[MCZO language not amended from that currently in the ordinance.]

Commercial storage of mobile homes, travel trailers, recreation vehicles, boats and aircraft on sites of not less than one acre.

FORMAL SESSION  
January 5, 2005

**MCZO, Article 1301.1.27 - Special Use (SUP):**

[MCZO language amended - additional language underscored, no language deleted.]

**Commercial storage or impoundment (not to include salvage operations, dismantling or sale of parts) of automobiles, motor vehicles, mobile homes, travel trailers, recreation vehicles, boats and aircraft on sites of not less than one acre.**

6.     **Z2002-153**     **District 3** (Continued from 12-01-04)  
          **Applicant:**     Hal Borhauer  
          **Location:**    Northwest corner of 7<sup>th</sup> Ave. & Alameda Rd., approx. 1,977' south of Happy Valley Rd. (in the Phoenix area)  
          **Request:**     Special Use Permit (SUP) for commercial storage of vehicles in the Rural-43 zoning district – 24250 N. 7<sup>th</sup> Ave. (5.3 ac.)

**COMMISSION ACTION:** Commissioner Smith moved to recommend approval of Z2002-153, subject to the following stipulations "a" through "x". Commissioner Pugmire seconded the motion, which passed with a majority vote of 5-1, with Commissioner Munoz dissenting.

- a.     Development and use of the site shall comply with the site plan entitled "Proposed Land Use Plan for 24250 North 7<sup>th</sup> Avenue" consisting of one full-size sheet, dated June 18, 2004 and stamped received June 18, 2004 except as modified by the following stipulations.
- b.     Development and use of the site shall comply with the landscape plan entitled "7<sup>th</sup> Avenue Storage Center Conceptual Landscape Plan" consisting of one full-size sheet, dated April, 9 2003 and stamped received June 14, 2004 except as modified by the following stipulations.
- c.     Development and use of the site shall comply with the narrative report entitled "24250 North 7<sup>th</sup> Avenue" consisting of six pages plus exhibits, dated revised December 30, 2003 and stamped received June 2, 2004 except as modified by the following stipulations.
- d.     The Special Use Permit approval for storage of commercial vehicles shall be deemed valid for government contract only. The facility shall not be open to the general public for storage contracts.
- e.     The hours and days of operation shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m. Minimal after hours deliveries of vehicles shall be acceptable.
- f.     A 6' high block wall is required for the perimeter of the site. Concertina (razor) wire is prohibited.
- g.     The front parking area shall be landscaped and adequately screened from 7<sup>th</sup> Avenue.
- h.     The site shall have minimum landscape width of 10' along the Alameda Road and 7<sup>th</sup> Avenue frontages. The location of the proposed perimeter walls shall be adjusted accordingly and if necessary.
- i.     All landscaping shall be maintained in good health and replaced as necessary for the life of the Special Use Permit (S.U.P.) approval.

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

- j. All landscaping with the County right-of-way shall be in compliance with Maricopa County Department of Transportation regulations.
- k. Dedication of additional rights-of-way to bring the total half-width dedication to 55' for 7<sup>th</sup> Avenue and 40' for Alameda Road shall occur immediately after approval of this request by the Board of supervisors, and prior to zoning clearance. Contact Maricopa County Road Dedication/Acquisition Division at 602-506-1421.
- l. The applicant shall bond for half-street improvements to ultimate width for 7<sup>th</sup> Avenue and Alameda Road along the perimeter of the site at the discretion of the Maricopa County Department of Transportation. The bond shall be available to assure that dust and/or road maintenance is addressed.
- m. The applicant shall ensure that a 25' access easement is in place along the north boundary of the site.
- n. A two-year review will be required per MCDOT to ensure that 7<sup>th</sup> Avenue is monitored for adequate access (traffic, dust, maintenance, etc.).
- o. All signs shall be in compliance with IND-1 regulations.
- p. Prior to development, a drainage clearance to include submittal of a final drainage report must be approved by the Maricopa County Flood Control District.
- q. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- r. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted.
- s. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- t. The applicant shall submit a written report outlining the status of the development at the end of two (2) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- u. This Special Use Permit shall expire five (5) years from the date of approval by the Board of Supervisors, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- v. Major changes to this Special Use Permit shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**FORMAL SESSION  
January 5, 2005**

Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.

- w. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation or the Maricopa County Flood Control District may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- x. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Commission to take action in accordance with the Maricopa County Zoning Ordinance.

Darren Gerard outlined the Commission action on this item.

Andy Moore said the Special Use Permit had been applied for more than two and a half years ago and they are very happy to be concluding the matter at today's hearing. He said that this will be an impoundment yard for government contracts (DPS, police, etc.). He said that neighbors and the City of Phoenix all support this application.

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilcox, and unanimously carried (5-0) to concur with the recommendation of the Planning Commission for approval with stipulations "a" through "x."

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Max W. Wilson, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Fran McCarroll, Clerk of the Board